

06-20-01

1033 U.S. PTO  
09/884566



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Docket No: 27866/37497

**CONTINUING APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)**

**Box Patent Application  
Commissioner for Patents  
Washington, D.C. 20231**

Sir:

This is a request under 37 CFR 1.53 for filing a

- ☐ continuation application.
- ☒ divisional application.

**1. Particulars of Prior Application**

Application Serial No: 09/407,715  
Filed on: September 28, 1999  
Title: CREBa ISOFORM  
Art Unit: 1635  
Examiner: T. Larson, Ph.D.  
Prior Docket No.: 27866/36300

**CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that this Continuing Application Transmittal Under 37 CFR 1.53(b) and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on **June 19, 2001**, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EL564458866US.

  
Richard Zimmermann

09884566 061901

2. This request is filed by:

1. Full Name of Inventor	Family Name Keegan	First Given Name Kathleen	Second Given Name S.
Residence & Citizenship	City Mercer Island	State or Foreign Country Washington	Country of Citizenship United States of America
Post Office Address	Post Office Address 5812 West Mercer Way	City Mercer Island	State & Zip Code/Country Washington, 98040

3. Amendments

- ☐ Amend the specification by inserting before the first line the sentence:  
--This is a of U.S. application Serial No. , filed .--
- ☒ Cancel claims 1-11 and 16-28 in the prior application before calculating the filing fee.
- ☒ A Preliminary Amendment is enclosed.
- ☒ The filing fee is based upon entry of the foregoing amendment(s) (if any).

4. Copy of Prior Application

The enclosed is a copy of the prior complete application, including the specification (with claims), the oath or declaration, and any amendments referred to in the oath or declaration filed to complete the prior application.

5. Sequence Listing

The Sequence Listing in this application is identical to the Sequence Listing in the prior application serial no. 09/407,715. Pursuant to 37 C.F.R. 1.821(e), no computer readable copy of the Sequence Listing is submitted with this application.

6. Incorporation By Reference

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under paragraph 4, above, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

7. **Assignment**

The prior application is assigned of record to ICOS Corporation, and has been recorded at Reel No. 8536, Frame No. 0483.

8. **Small Entity Status**

☒ Applicant claims small entity status. See 37 CFR 1.27.

☒ A small entity statement is attached.

9. **Other Documents**

The following documents are being submitted with this application as filed in the prior application.

☒ Statement Accompanying Form PTO-1449

☒ Information Disclosure Statement

10. **Application to Be Published**

☒ Yes.

☐ No. A Request and Certification Under 35 U.S.C. § 122(b)(2)(B)(i) is attached.

11. **Fee Calculation**

CLAIMS AS FILED - INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$355.00		\$710.00
TOTAL	4 -20	= 0	X 9 =	\$0.00	X 18 =	\$0.00
INDEP.	1 - 3	= 0	X 40 =	\$0.00	X 80 =	\$0.00
<input type="checkbox"/> First Presentation of Multiple Dependent Claim			+ 135 =	\$0.00	+ 270 =	\$0.00
Filing Fee:				\$355.00	OR	\$

12. **Method of Payment of Fees**

☒ Attached is a check in the amount of:

\$355.00

☐ Charge Deposit Account No. 13-2855 in the amount of: \$ \_\_\_\_\_  
A copy of this Transmittal is enclosed.

**13. Deposit Account and Refund Authorization**

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 37 CFR 1.17 to Deposit Account No. 13-2855. A copy of this Transmittal is enclosed.

Please refund any overpayment to Marshall, O'Toole, Gerstein, Murray & Borun at the address below.

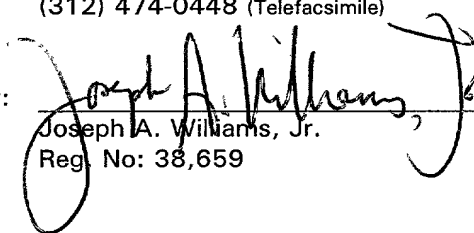
**14. Correspondence Address**

Customer No.: 04743

Respectfully submitted,

MARSHALL, O'TOOLE, GERSTEIN,  
MURRAY & BORUN  
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By:

  
Joseph A. Williams, Jr.  
Reg. No: 38,659

June 19, 2001

NAME OF PERSON SIGNING:

Judith A. Woods, Ph.D.

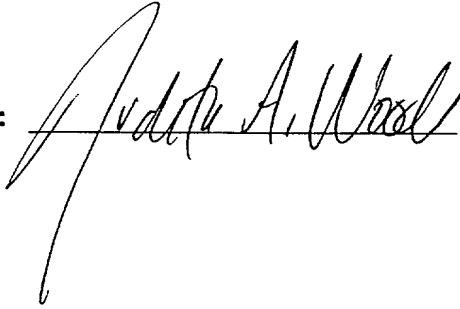
TITLE OF PERSON OTHER THAN OWNER:

Patent and Licensing Counsel

ADDRESS OF PERSON SIGNING:

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Bothell, WA 98021

SIGNATURE:



Date November 6, 1996